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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,697	01/10/2001	David Stephen Gress	95-456	4607

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

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DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

25

Office Action Summary

Application No.

09/756,697

Applicant(s)

GRESS ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-78 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/10/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

Formal drawings are required for figures 2-5.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Olkin et al. (U.S. Patent No. 6,584,564) in view of Picard et al. (U.S. Patent No. 6,233,318).

4. In reference to claims 1 and 2, Olkin teaches a method in a secure e-mail system comprising:

Receiving a request for a user interface session to enable a user to leave a message for an identified destination subscriber; Generating a first prompt enabling the user to select encryption

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of the message; Generating a second prompt, based on the user selecting encryption of the message for the user to supply an encryption key; Causing encryption of the message into an encrypted message based on the encryption key supplied by the user; and Outputting the encrypted message to a determined destination based on determined subscriber profile attributes for the identified destination subscriber (column 3 line 30 – column 4 line 25 and columns 6&7, Olkin discloses an interface session for a user to send a message to an identified address, generating a “send securely” prompt enabling the user to encrypt the email, generating another prompt for the user to enter a password which is associated with an encryption key, encrypting the email based on the key, and sending the encrypted email to the determined destination).

Olkin fails to explicitly teach the email system as a unified communications system. However, Picard teaches integrating different types of messaging systems (like voice, email, video etc.) into a single unified messaging system to facilitate access to the messaging systems through the Internet (columns 1,3&4).

It would have been obvious for one of ordinary skill in the art to modify the email system of Olkin by integrating other messaging systems and integrating them into a single unified messaging system as per the teachings of Picard so as to facilitate access to the different messaging systems through a single system over the Internet.

5. In reference to claim 7, Olkin in view of Picard teach claim 1 above. Olkin fails to explicitly teach outputting the encrypted message to the determined destination according to at least one of SMTP protocol and IMAP protocol. However, Picard teaches sending messages using SMTP (column 12).

It would have been obvious for one of ordinary skill in the art to make the email system of Olkin send messages according to SMTP as per the teachings of Picard because it is the standard TCP/IP protocol used for sending messages over the Internet.

6. In reference to claim 8, Olkin in view of Picard teach claim 1 above. Olkin further teaches Receiving a request for a second user interface session to enable the identified destination subscriber to retrieve stored messages; Retrieving information related to the stored messages for the identified destination subscriber; Detecting one of the stored messages as encrypted; Generating a third prompt, based on detecting the one stored message, for the identified destination subscriber to supply a decryption key; and Supplying the decryption key and the one stored message to an invoked decryption utility for decryption of the one stored message into a decrypted data file (column 15 line 30 – column 17 line 67, Olkin discloses an interface for a user to retrieve messages, detecting and selecting an encrypted message, the receiving user entering a password which is associated with a decryption key, decrypting the message based on the key).

7. In reference to claim 9, Olkin in view of Picard teach claim 1 above. Olkin further teaches outputting the decrypted data file during the second user interface session to the identified destination subscriber, independent of the encryption key matching the decryption key (column 15 line 50 – column 16 line 25, Olkin discloses displaying unintelligible gibberish in the body field if the password does not match for decrypting the message).

8. In reference to claim 10, Olkin in view of Picard teach claim 1 above. Olkin further teaches wherein the receiving step includes receiving the request according to hypertext transport protocol (columns 13 and 16).

9. Claims 3-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Olkin et al. (U.S. Patent No. 6,584,564) in view of Picard et al. (U.S. Patent No. 6,233,318) in further view of Montville et al. (U.S. Patent No. 6,356,937).

10. In reference to claim 3, Olkin in view of Picard teach claim 1 above. Olkin fails to explicitly teach a Multipurpose Internet Mail Extension (MIME) that specifies a format of the message, the causing encryption step including encrypting the message data file into an encrypted file having a MIME extension specifying that the encrypted file has an encrypted format. However, Montville teaches a secure email system compliant with the SMIME protocol which provides extensions specifying the format of a message, including an encrypted format of a message (column 3 and column 8 line 45 – column 9 line 20).

It would have been obvious for one of ordinary skill in the art to modify Olkin by having a MIME extension specifying the format of a message as per the teachings of Montville to comply with a standard in secure messaging in identifying different kinds of data files.

11. In reference to claim 4, Olkin in view of Picard in further view of Montville teach claim 3 above. Olkin teaches generating a message transport header specifying an IP based destination address corresponding to the identified destination subscriber (column 6 and column 7 lines 25-55, Olkin discloses specifying a destination address).

12. In reference to claim 5, Olkin in view of Picard in further view of Montville teach claim 3 above. Olkin fails to explicitly teach wherein the message data file has a MIME extension specifying a .wav format, the message having an audio header and audio payload, the causing

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encryption step including encrypting the audio header and the payload within the encrypted file. However Picard teaches MIME message files having WAV format, with a header and body (column 6 lines 1-20, column 7 line 55 – column 8 line 30 and column 10 line 60 – column 11 line 42).

It would have been obvious for one of ordinary skill in the art to modify Olkin by having a MIME extension specifying a WAV format of a message as per the teachings of Picard where Olkin would encrypt the header and body to comply with a standard in secure messaging in different kinds of data files, specifically audio WAV files.

13. Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Olkin et al. (U.S. Patent No. 6,584,564) in view of Picard et al. (U.S. Patent No. 6,233,318) in further view of Spielman et al. (U.S. Patent No. 6,671,355).

Olkin in view of Picard teach claim 1 above. Olkin fails to explicitly teach determining the subscriber profile attributes for the identified destination subscriber based on accessing a subscriber directory according to Lightweight Directory Access Protocol (LDAP), the subscriber profile attributes specifying the determined destination. However, Spielman teaches accessing a subscriber directory according to LDAP protocol for retrieval of subscriber attribute information for each specified message recipient (column 6 lines 1-40, column 8 lines 30-55 and column 10 lines 1-45).

It would have been obvious for one of ordinary skill in the art to modify Olkin by determining the recipient of the message by accessing a subscriber directory according to LDAP

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protocol for retrieval of subscriber attribute information as per the teachings of Spielman because LDAP facilitates directory searching.

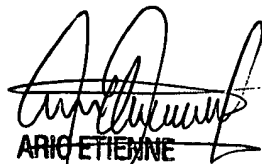
14. Claims 11-78 do not teach any new limitations above claims 1-10 and are therefore rejected for the above mentioned reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
April 8, 2004


ARIO ETIENNE
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